

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

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JOHN HUANG,)
Plaintiff,)
v.)
RICHARD W. WEIKING, ET. AL.,)
Defendants.)
C 07-00589 WBS
ORDER SETTING STATUS
(PRETRIAL SCHEDULING)
CONFERENCE

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This action has been assigned to the undersigned judge.

Pursuant to the provisions of Federal Rule of Civil Procedure 16,

IT IS ORDERED that:

1. A Status (pretrial scheduling) Conference is set for

March 20, 2007 at 01:30 PM, before the undersigned judge in Courtroom No. 5, 17th Floor, San Francisco, CA. At least twenty-one (21) calendar days before the scheduling conference is held, the parties shall confer and develop a proposed discovery plan, as required by, Fed. R. Civ. P. 26(f).

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1 2. The parties shall submit to the court a JOINT Status
2 Report **fourteen (14) calendar days** prior to the hearing date,
3 which shall contain:

4 (a) brief summary of the claims;
5 (b) a statement as to the status of service upon all
6 defendants and cross defendants;
7 (c) a statement as to the possible joinder of
8 additional parties;
9 (d) any contemplated amendments to the pleadings;
10 (e) the statutory basis of jurisdiction and venue;
11 (f) a written report outlining the proposed discovery
12 plan required by Fed. R. Civ. P. 26(f). Such discovery plan
13 shall include the parties' views and proposals concerning:

14 (1) what changes, if any, should be made in the
15 timing, form, or requirements for disclosures under Rule 26(a)
16 including a statement as to when disclosures made under Rule
17 26(a)(1) were made or will be made;

18 (2) the subjects on which discovery may be needed,
19 when discovery should be completed, and whether discovery should
20 be conducted in phases or be limited to or focused upon
21 particular issues;

22 (3) what changes, if any, should be made in the
23 limitations on discovery imposed under the federal or local
24 rules, and what other limitations, if any should be imposed;

25 (4) the timing of the disclosure of expert
26 witnesses and information required by Rule 26(a)(2);

27 (g) a proposed cut-off date by which all discovery

1 shall be concluded;

2 (h) a proposed date by which all motions shall be filed
3 and heard;

4 (i) any proposed modifications of standard pretrial
5 proceedings due to the special nature of the action;

6 (j) the estimated length of trial;

7 (k) a statement as to whether the case is related to
8 any other case, including any matters in bankruptcy;

9 (l) any other matters discussed in Local Rule 240 that
10 may add to the just and expeditious disposition of this matter.

11 3. Concurrently with the service of process, or as soon
12 thereafter as possible, plaintiff shall serve upon each of the
13 parties named in the complaint, and upon all parties subsequently
14 joined, a copy of this order, and shall file with the clerk a
15 certificate reflecting such service.

16 4. In the event this action was originally filed in a state
17 court and was thereafter removed to this court, the removing
18 party or parties shall immediately following such removal, serve
19 upon each of the other parties and upon all parties subsequently
20 joined a copy of this order, and shall file with the clerk a
21 certificate reflecting such service.

22 5. All parties to the action shall appear by counsel (or in
23 person if acting without counsel). A FAILURE TO APPEAR AT THE
24 APPROPRIATE TIME WILL BE TREATED AS A FAILURE TO APPEAR AND MAY
25 SUBJECT COUNSEL TO SANCTIONS.

26 6. In order to assist the court in meeting its recusal
27 responsibilities, any non-governmental corporate party to this

1 action shall submit a statement identifying all its parent
2 corporations and listing any publicly held company that owns 10%
3 or more of the party's stock. Such statements shall be included
4 in the parties' Joint Status Report. Thereafter, if there is any
5 change in the information, the party shall file and serve a
6 supplemental statement within a reasonable time after such change
7 occurs.

8 7. IN appropriate cases, and after receiving the parties'
9 joint status report, the court may issue a Status (Pretrial
10 Scheduling) Order without requiring a status conference. Unless
11 the parties have received such an order prior to the status
12 conference, the parties are required to attend the status
13 conference as scheduled.

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15 DATE: February 14, 2007

16 WILLIAM B. SHUBB
17 UNITED STATES DISTRICT JUDGE

18 by: Karen L. Hom
19 Karen L. Hom, Deputy Clerk

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